

AMENDED IN SENATE SEPTEMBER 2, 2003

AMENDED IN SENATE AUGUST 26, 2003

AMENDED IN SENATE AUGUST 18, 2003

AMENDED IN SENATE JULY 1, 2003

AMENDED IN ASSEMBLY MAY 6, 2003

AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 413

Introduced by Assembly Member Goldberg
(Principal coauthor: Senator Cedillo)

February 14, 2003

An act to add Section 5003.18 to the Public Resources Code, relating to state property, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 413, as amended, Goldberg. Property transactions.

Existing law authorizes the Department of Parks and Recreation to lease, for use, all or any portion of any parcel of real property acquired for the state park system, if the director makes specified findings, and the rent is based on the fair market value of the property when used for the purpose for which it is leased. Existing law prohibits the term of a lease from exceeding a period of 10 years, unless the Legislature has reviewed and approved the proposed lease as part of the annual budget process, or the Public Works Board has determined that the proposed

lease could not have been presented to the Legislature for review and approval, as provided.

This bill would, notwithstanding those provisions, authorize the Department of Parks and Recreation to lease 20 acres at a site commonly known as Taylor Yard to the City of Los Angeles for a term of 25 years without monetary consideration for use of the property for the development and operation of a local park with regional benefits, as specified. The bill would require the Public Works Board to review and approve the lease. *The bill would prohibit the City of Los Angeles from using the lease as a match when applying for grant funds, as specified.*

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) As part of a high priority to increase park and open-space
- 4 opportunities in urban areas, the Department of Parks and
- 5 Recreation purchased a 40-acre parcel in the City of Los Angeles
- 6 known as Taylor Yard.
- 7 (b) Statewide and community needs related to Taylor Yard will
- 8 best be served by a coordinated and cooperative relationship
- 9 between the Department of Parks and Recreation and the City of
- 10 Los Angeles Department of Recreation and Parks. The goal of this
- 11 cooperative relationship should be to utilize and maximize the
- 12 strengths and missions of each entity in order to provide quality
- 13 outdoor recreational and natural resources enhancement
- 14 opportunities at the site, including organized sports fields to be
- 15 operated by the city. This cooperative relationship should include
- 16 a collaborative planning and design process. Collaborative
- 17 planning and design are necessary to ensure that the parcel within
- 18 Taylor Yard to be leased to the City of Los Angeles for local park
- 19 purposes with regional benefits, and the parcel within Taylor Yard
- 20 to be retained by the Department of Parks and Recreation for state
- 21 park purposes, are developed in a compatible manner that meets
- 22 the needs of the public.



1 (c) A lease of this land by the Department of Parks and
2 Recreation to the City of Los Angeles is needed to facilitate the
3 provision of organized sports opportunities. Specifically, the
4 Department of Parks and Recreation should lease a portion of
5 Taylor Yard to the City of Los Angeles, not to exceed 20 acres and
6 which is appropriate for city-developed and managed local and
7 regional recreational needs, including organized, youth sports
8 activities.

9 (d) To meet the needs of the public, dedication of necessary
10 resources and timely development of the Taylor Yard parcel is
11 critical. In light of this need, the lease agreement shall specify that,
12 if the property leased by the Department of Parks and Recreation
13 to the City of Los Angeles is not improved to provide local park
14 opportunities with regional benefits within five years, the state
15 may terminate the lease.

16 (e) To ensure the timely development of regional parks and
17 organized sports opportunities on the parcel to be leased to the City
18 of Los Angeles, the city shall utilize portions of funding available
19 to the city for park purposes, including state and local funds.

20 SEC. 2. Section 5003.18 is added to the Public Resources
21 Code, to read:

22 5003.18. (a) The director may lease to the City of Los
23 Angeles a parcel, not to exceed 20 acres of unimproved real
24 property situated in the City of Los Angeles, that parcel being a
25 portion of the property owned by the department and commonly
26 known as Taylor Yard.

27 (b) Notwithstanding subdivisions (b) and (c) of Section
28 5003.17, the term of the lease shall be for a period not to exceed
29 25 years and shall be without monetary consideration for use of the
30 property, except that the city shall fund the development and
31 operation of the park. The terms of the lease shall specify the
32 nature of the city's control of, and responsibility for the operation
33 of, the parcel.

34 (c) The purpose of the lease shall be for the development and
35 operation by the city of a local park with regional benefits
36 containing and providing organized sports facilities that will
37 primarily serve the youth of the Los Angeles region.

38 (d) If the department determines that the city has failed to
39 develop a local park with regional benefits containing and

1 providing organized sports facilities within five years of execution
2 of the lease, the state shall have the right to terminate the lease.

3 (e) Notwithstanding subdivision (d) of Section 5003.17, the
4 Public Works Board shall review and approve the lease, and shall
5 report any action taken to the Legislature and the Governor.

6 (f) Upon one year's written notice from the city and upon the
7 state's written consent as granted pursuant to the state's sole
8 discretion, the lease may be extended for an additional 25 years
9 commencing on the first calendar day after the date set for
10 expiration of the lease. In exercising its discretion to extend the
11 term of the lease, the state may modify, add, or delete terms and
12 conditions of the lease, including a requirement for monetary
13 consideration for use of the property, as the state may determine
14 to be in the best ~~interests~~ *interest* of the state. Pursuant to
15 subdivision (d) of Section 5003.17, the Legislature shall review
16 and approve any extension of the lease.

17 (g) The lease, and any extension of the lease, pursuant to this
18 section shall require best management practices for stormwater
19 discharge management, as required by the regional water quality
20 control board.

21 (h) *The City of Los Angeles may not use the lease as its match*
22 *when applying for grant funds under the Roberti-Z'Berg-Harris*
23 *Urban Open-Space and Recreation Program Act (Chapter 3.2*
24 *(commencing with Section 5620)), or any other state grant funds,*
25 *to develop Taylor Yard.*

26 SEC. 3. This act is an urgency statute necessary for the
27 immediate preservation of the public peace, health, or safety
28 within the meaning of Article IV of the Constitution and shall go
29 into immediate effect. The facts constituting the necessity are:

30 In order to ensure that the City of Los Angeles may apply for
31 Proposition 40 funds or grants in a timely manner to develop
32 organized sports facilities on the land leased to the city, it is
33 necessary for this act to take effect immediately.